

**Laura Salerno Owens, OSB #076230**  
 LauraSalerno@MarkowitzHerbold.com  
**David B. Markowitz, OSB #742046**  
 DavidMarkowitz@MarkowitzHerbold.com  
**Harry B. Wilson, OSB #077214**  
 HarryWilson@MarkowitzHerbold.com  
**Anna M. Joyce, OSB #013112**  
 AnnaJoyce@MarkowitzHerbold.com  
**Chad A. Naso, OSB #150310**  
 ChadNaso@MarkowitzHerbold.com  
**Anthony Blake, OSB #163446**  
 anthonyblake@markowitzherbold.com  
 MARKOWITZ HERBOLD PC  
 1455 SW Broadway, Suite 1900  
 Portland, OR 97201  
 Telephone: (503) 295-3085 | Fax: (503) 323-9105

**Laura L. Ho** (admitted *pro hac vice*)  
 lho@gbdhlegal.com  
**Barry Goldstein, Of Counsel** (admitted *pro hac vice*)  
 bgoldstein@gbdhlegal.com  
**James Kan** (admitted *pro hac vice*)  
 jkan@gbdhlegal.com  
**Byron Goldstein** (admitted *pro hac vice*)  
 brgoldstein@gbdhlegal.com  
**Katharine L. Fisher** (admitted *pro hac vice*)  
 kfisher@gbdhlegal.com  
**Mengfei Sun** (admitted *pro hac vice*)  
 msun@gbdhlegal.com  
 GOLDSTEIN, BORGES, DARDARIAN & HO  
 155 Grand Avenue, Suite 900  
 Oakland, CA 94612  
 Telephone: (510) 763-9800 | Fax: (510) 835-1417

Attorneys for Plaintiffs and Opt-In Plaintiffs

[Additional Counsel of Record listed on the Signature page]

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF OREGON  
 PORTLAND DIVISION

KELLY CAHILL, et al., individually and  
 on behalf of others similarly situated,  
 Plaintiffs,

vs.

NIKE, INC., an Oregon Corporation,  
 Defendant.

Case No. 3:18-cv-01477-JR

**PARTIES' JOINT STIPULATION AND  
 ORDER REGARDING REVISED  
 LITIGATION DEADLINES**

**PARTIES' JOINT STIPULATION AND ORDER RE REVISED LITIGATION DEADLINES**

Plaintiffs Kelly Cahill, *et al.* (“Plaintiffs”) and Nike, Inc. (“Nike” or “Defendant”) (collectively, the “Parties”), through their respective counsel hereby present the following stipulated and agreed upon revised litigation deadlines and request that the Court enter an order regarding the same.

**The Parties Have a Good Faith Basis for Revising the Litigation Deadlines**

On September 25, 2020, the Court entered an Amended Order setting forth relevant discovery and class certification briefing deadlines. ECF No. 116. In that Amended Order, the Court set the fact witness deposition period to begin on November 2, 2020 and end on February 12, 2021. The fact witness deposition period would then be followed by a period for expert witness discovery and later briefing on Plaintiffs’ motion for class certification.

The Court’s September 25, 2020 Amended Order was set following the Parties’ September 21, 2020 Joint Proposed Case Management Schedule, where Nike advocated for an October 30, 2020 document discovery deadline and Plaintiffs advocated for a proposed case management schedule that would proceed to depositions as soon as document discovery was completed. Joint Submission 21-22, ECF No. 114.

The Parties agree that there needs to be additional time for the deposition period because there are depositions that remain to be taken. The Parties are currently working to schedule the remaining depositions as soon as possible.

The Parties agree to a 42-day extension to the deposition period.

The Parties further agree that an extension of the fact witness discovery period necessitates extending the deadlines for expert witness discovery and class certification briefing. In an effort to mitigate the extension required for all of these deadlines, the Parties have agreed to reduce certain expert discovery periods as well as the time within the original class

certification briefing schedule.

### **STIPULATED REVISED LITIGATION DEADLINES**

The Parties hereby stipulate and agree and request the Court order the following revised litigation deadlines (the prior dates are provided in the first column for ease of reference):

<b>Litigation Deadline</b>	<b>Previous Deadline</b>	<b>Proposed New Deadline</b>
Fact Witness Depositions Close	2/12/21	3/26/21
Plaintiffs' Expert Reports Due	3/29/21	5/10/21
Nike to conduct expert discovery	3/30/21-5/28/21	5/11/21-7/5/21
Nike's Expert Reports	5/28/21	7/6/21
Plaintiffs to conduct expert discovery	5/29/21-7/30/21	7/7/21-8/30/21
Plaintiffs' Expert Reply Reports Due	7/31/21	8/31/21
Motion for Class Certification	9/14/21	10/12/21
Opposition to Class Certification	11/15/21	12/14/21
Reply to Class Certification	1/7/22	1/28/22

### **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD**

Dated: February 12, 2021

Respectfully submitted,

GOLDSTEIN, BORGEN, DARDARIAN & HO

/s/ James Kan

Laura L. Ho (admitted *pro hac vice*)  
 Barry Goldstein, Of Counsel (*pro hac vice*  
 application forthcoming)  
 James Kan (*pro hac vice* application forthcoming)  
 Byron Goldstein (admitted *pro hac vice*)  
 Katharine L. Fisher (admitted *pro hac vice*)

MARKOWITZ HERBOLD PC  
 Laura Salerno Owens, OSB #076230  
 David B. Markowitz, OSB #742046  
 Harry B. Wilson, OSB #077214  
 Anna M. Joyce, OSB #013112

ACKERMANN & TILAJEF PC  
Craig Ackerman (admitted *pro hac vice*)  
cja@ackermanntilajef.com  
1180 S Beverly Drive, Suite 610  
Los Angeles, CA 90035  
Tel: (310) 277-0614  
Fax: (310) 277-0635

INDIA LIN BODIEN LAW  
India Lin Bodien (admitted *pro hac vice*)  
india@indialinbodienlaw.com  
2522 North Proctor Street, #387  
Tacoma, WA 98406-5338  
Tel: (253) 503-1672  
Fax: (253) 276-0081

Attorneys for Plaintiffs and Opt-In Plaintiffs

Dated: February 12, 2021

Respectfully submitted,

/s/ Felicia A. Davis

---

Daniel Prince (*pro hac vice*)  
danielprince@paulhastings.com  
Zach P. Hutton (*pro hac vice*)  
zachhutton@paulhastings.com  
Felicia A. Davis (*pro hac vice*)  
feliciadavis@paulhastings.com  
PAUL HASTINGS LLP  
515 South Flower Street, Twenty-Fifth Floor  
Los Angeles, CA 90071-2228  
Tel: (213) 683-6000  
Fax: (213) 627-0705

Amy Joseph Pedersen, OSB No. 853958  
amy.joseph.pedersen@stoel.com  
Kennon Scott, OSB No. 144280  
kennon.scott@stoel.com  
STOEL RIVES LLP  
760 SW Ninth Avenue, Suite 3000  
Portland, OR 97205  
Tel: (503) 224-3380  
Fax: (503) 220-2480

Attorneys for Nike, Inc.


**ORDER**

The Court has reviewed the Parties' Joint Stipulation Regarding Revised Litigation Deadlines and hereby enters the same as reflected below.

<b>Litigation Deadline</b>	<b>Date</b>
Fact Witness Depositions Close	3/26/21
Plaintiffs' Expert Reports Due	5/10/21
Nike to conduct expert discovery	5/11/21-7/5/21
Nike's Expert Reports	7/6/21
Plaintiffs to conduct expert discovery	7/7/21-8/30/21
Plaintiffs' Expert Reply Reports Due	8/31/21
Motion for Class Certification	10/12/21
Opposition to Class Certification	12/14/21
Reply to Class Certification	1/28/22

**IT IS SO ORDERED.**

Dated: February 12, 2021



\_\_\_\_\_  
JOLIE A. RUSSO  
United States Magistrate Judge